

**SOUTH CAROLINA PUBLIC SERVICE COMMISSION**

**HEARING OFFICER DIRECTIVE**

**DOCKET NOS. 2017-370-E, 2017-207-E, 2017-305-E ORDER NO. 2018-109-H**

**AUGUST 14, 2018**

David Butler  
Hearing Officer

**DOCKET DESCRIPTION:**

**Docket No. 2017-370-E – Joint Application and Petition of South Carolina Electric & Gas Company and Dominion Energy, Incorporated for Review and Approval of a Proposed Business Combination between SCANA Corporation and Dominion Energy, Incorporated, as May Be Required, and for a Prudency Determination Regarding the Abandonment of the V.C. Summer Units 2 & 3 Project and Associated Customer Benefits and Cost Recovery Plans**

**Docket No. 2017-207-E – Friends of the Earth and Sierra Club, Complainant/Petitioner v. South Carolina Electric & Gas Company, Defendant/Respondent**

**Docket No. 2017-305-E – Request of the Office of Regulatory Staff for Rate Relief to South Carolina Electric & Gas Company's Rates Pursuant to S.C. Code Ann. § 58-27-920**

**MATTERS UNDER CONSIDERATION:**

**SCE&G'S Request to Take Testimony of Witnesses by Oral Deposition**

**HEARING OFFICER ACTION:**

The Request is granted as meritorious and is explained herein. First, SCE&G requests permission to depose the following witnesses, pursuant to 10 S.C. Ann. Regs. 103-834, said witnesses having been identified as having knowledge of facts relevant to the issues in this case:

1. C. Dukes Scott
2. Nanette S. Edwards
3. Allyn H. Powell
4. Gary C. Jones, P.E.
5. M. Anthony James, P.E.
6. Gene Soult

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7. Michael Couick
8. Lonnie Carter
9. John Flitter
10. Marion Cherry
11. Michael Crosby
12. Jack F. Wolfe, Jr.

According to SCE&G, the Company states that it seeks to establish the following facts, among others, by deposing the individuals listed above:

1. The disclosure of the Bechtel Report and drafts of it to third parties by parties associated with Santee Cooper;
2. The date on which ORS first learned of the Bechtel Report and the findings set forth therein and how ORS learned of it;
3. ORS's knowledge of the Bechtel Report and its findings prior to the hearing held by this Commission in Docket No. 2017-223-E and the settlement agreement that ORS entered into in that Docket;
4. ORS's knowledge of the challenges and issues surrounding the NND Project prior to the hearing held by this Commission in Docket No. 2017-223-E and the settlement agreement that ORS entered into in that docket;
5. ORS's knowledge of the challenges and issues surrounding the NND Project prior to Westinghouse Electric Company, LLC ("Westinghouse") filing for bankruptcy;
6. The veracity of ORS's current claim that the challenges and issues surrounding the NND Project had not been disclosed or known to it prior to Westinghouse filing for bankruptcy;
7. The veracity of ORS's current claim that the challenges and issues surrounding the NND Project were unknown to it prior to Westinghouse filing for bankruptcy;
8. The identities of the entities and individuals that influenced ORS to represent as it did its lack of knowledge concerning the challenges and issues surrounding the NND Project prior to Westinghouse filing for bankruptcy;
9. ORS's support for the NND Project prior to the date on which Westinghouse filed for bankruptcy;
10. ORS's role in the drafting and adopting the Base Load Review Act, S.C. Code Ann. Sections 58-33-210, *et seq.* (the "BLRA");
11. ORS's understanding and beliefs regarding the BLRA's legality and constitutionality at the time it as adopted;
12. ORS's understanding and beliefs regarding the BLRA's legality and constitutionality between the time it was adopted and the time that the NND Project was abandoned;

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- 13. ORS's oversight of the NND Project;**
- 14. The scope and findings of ORS's investigation into the fair and reasonable nature of the request for rate relief that it made in Docket No. 2017-307-E.**

**SC&G states that the scope of the depositions will extend to all discoverable information in the possession of these witnesses and will not be restricted by this limited statement of relevant matters which provided to the Commission for the sole purpose of establishing the great necessity for these depositions to move forward. SCE&G states that it will orally depose the individuals identified on the topics identified at a time and place that is mutually agreeable to all parties to this action.**

**SCE&G is granted leave to take the oral depositions of the individuals stated above on the topics as stated above, and at such times and places as may be agreed upon, and under such terms and conditions as are indicated above. Such depositions may be video depositions, if desired.**

**This ends the Hearing Officer's Directive.**